

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

Clerk's Minutes
Before the Honorable James O. Browning

CASE NO. CR 24-0434 JB DATE: 8/28/2024

TITLE: *United States of America v. Jeremy Alexander Smith*

COURTROOM CLERK: L. Rotonda COURT REPORTER: A. Lynch

COURT IN SESSION: 9:59 AM TOTAL TIME: 0:21

TYPE OF PROCEEDING: STATUS CONFERENCE/SCHEDULING CONFERENCE

COURT RULING/DISPOSITION: SEE BELOW

ATTORNEYS PRESENT FOR PLAINTIFF(S): Paul Mysliwiec ATTORNEYS PRESENT FOR DEFENDANT(S): Daniel Snyder

PROCEEDINGS:

COURT IN SESSION: 9:59 AM

COURT: CALLS CASE, COUNSEL ENTER APPEARANCES.

NOTES THAT MATTER IS BEFORE THE COURT ON PARTIES' REQUEST THAT THE COURT SET A STATUS CONFERENCE.

MR. MYSLIWIEC: INDICATES THAT REASON FOR PARTIES' REQUEST WAS FORTHCOMING REQUEST FOR LENGTHY DEADLINES, AND TO APPRISE COURT OF POTENTIAL DEFENSE AND CORRESPONDING ABILITY OF GOVERNMENT TO SEEK FURTHER EVALUATION.

COURT: QUERIES MR. SNYDER REGARDING SOURCE OF EVALUATIONS AND RECORDS TO PRESENT POINT, COUNSEL'S POSITION AS TO POSSIBILITY THAT DEFENDANT BE TRANSPORTED TO BOP FACILITY FOR EVALUATION.

MR. SNYDER: RESPONDS TO COURT'S QUERIES.

MR. MYSLIWIEC: ADDRESSES COURT REGARDING SAME.

REVIEWS ADDITIONAL DATES PARTIES INTEND TO PUT FORTH VIA FORTHCOMING PROPOSED SCHEDULING ORDER.

COURT: NOTES THAT EVEN WHEN A CASE IS DESIGNATED AS COMPLEX, COURT WILL WANT PARTIES TO JUSTIFY REQUESTED DEADLINES AND EXTENSIONS UNDER APPLICABLE CASE LAW, QUERIES MR. MYSЛИWIEC AS TO WHETHER HE BELIEVES THAT PARTIES CAN JUSTIFY REQUEST PURSUANT TO SAME.

MR. MYSЛИWIEC: INDICATES THINKS THAT PARTIES CAN DO SO.

MR. SNYDER: PROVIDES FURTHER CLARIFICATION REGARDING DEFENSES COUNSEL ARE CONSIDERING.

COURT: QUERIES MR. SNYDER REGARDING INFREQUENT USE OF 12.2 EVIDENCE.

MR. SNYDER: RESPONDS TO COURT'S QUERIES.

MR. MYSЛИWIEC: REFERENCES OPINION WRITTEN BY JUDGE RIGGS REGARDING MECHANICS OF DEFENSE.

MR. SNYDER: CONFIRMS WILL FILE MOTION BY NEXT WEEK.

COURT IN RECESS: 10:20 AM